IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1173 OF 2007

Sadanand alias Pappu Lad.. ... Petitioner.
Versus
The State of Maharashtra & Ors. .... Respondents.

Mr. S.K.Chaurasia i/by Mr. A.M.Saraogi
for the Petitioner.
Ms. Aruna Savlw for Respondent Nos.1 and 2.
Mr.M.M.Vashi for Respondent No.3.

CORAM : SWATANTER KUMAR, C.J. &
SMT.RANJANA DESAI, J.

DATED : 3RD JULY, 2007.

P.C.:

After going through the averments made in the petition, we are of the considered view that this petition be permitted to be withdrawn or in the alternative be dismissed as an abuse of the process of court.

2. It is said to be a petition filed by a social worker claiming that some structure raised is unauthorised. We find no merits in the averments made. Learned Counsel appearing for the respondent / Corporation also informed the Court that the complaint filed by the petitioner with the Anti-Corruption

Department has been found to be without any merits and in fact has been rejected. In this regard there is no averment made in the petition. There is no justification why the petitioner has come after such a considerable delay. Further more, we are clearly doubtful whether the petitioner has any locus to file the present petition as public interest litigation.

3. We, accordingly, dismiss this petition with costs in the sum of Rs.10,000/-.

4. The Collector of Mumbai is hereby directed to collect the amount of costs as land revenue from the petitioner.

Sd/-

CHIEF JUSTICE

Sd/-

SMT.RANJANA DESAI, J.